



Atty. Dkt. No. 023533-0113

APR 22
#22
DIA
6/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lawrence E. CORNETT et al.

Title: RECOMBINANT BETA2-ADRENERGIC RECEPTOR DELIVERY AND USE
IN TREATING AIRWAY AND VASCULAR DISEASES

Appl. No.: 09/783,580

Filing Date: 02/15/2001

Examiner: Scott David Priebe

Art Unit: 1632

RECEIVED

JUN 19 2003

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated January 15, 2003, and the Advisory Action dated May 22, 2003, of the Examiner finally rejecting Claims 1-5, 8-31, 33-35, 38 and 44-57.

Applicant claims small entity status.

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Notice of Appeal Fee

To be paid as detailed below

Not required (Fee paid in prior appeal)

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The required fees are calculated below:

[X]	Notice of Appeal Fee	\$320.00
[X]	Extension for response filed within the second month:	\$410.00
[X]	Extension Already Obtained for first month:	\$110.00
	FEE TOTAL:	\$620.00
[X]	Small Entity Fees Apply (subtract ½ of above):	\$310.00
	TOTAL FEE:	\$310.00

[] Please charge Deposit Account No. 19-0741 in the amount of \$310.00 . A duplicate copy of this transmittal is enclosed.

[X] A check in the amount of \$310.00 is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date June 16, 2003

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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